

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1621
Examiner: Mr. Alan M. Siegel

In Re PATENT APPLICATION of

Applicants: Pascal PENNETREAU et al.)
Appln. No.: 08/549,322)
Filed : October 27, 1995)
For : PROCESS FOR THE PREPARATION)
OF 1-CHLORO-FLUOROETHANE)
AND/OR 1,1-DIFLUOROETHANE)
Atty. Dkt.: SLVPE 0829)

LETTER

December 28, 1998

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants wish to file this Substitute Reply Brief to clarify the penultimate sentence on page 4 of the original Reply Brief. That penultimate sentence on page 4 of the original Reply Brief Reads, "Parenthetically, it appears that, if higher temperatures are employed, Lovelace makes 1-chloro-1-fluoro ethane at 150°C."

Hereby applicants wish to change that sentence at page 4 of the Reply Brief to include the following two sentences:
"Lovelace also mentions that 1-chloro-1-fluoro ethane is obtained by addition of HF to vinyl chloride at 150°C.
Regarding the reaction of HF with monochlorolefins, Lovelace speculates, 'if higher temperature and...excess HF are

employed, the difluoroalkane may result (Lovelace, page 13, lines 12-13).'"

This change not only clarifies the record; but also this change amplifies the fact that the PTO reliance on Lovelace, as treating hydrofluorination procedures as analogous, is not free of hindsight. In this regard, applicants advise, that --although the Examiner refers to "typical hydrofluorination procedure--Lovelace discusses **separately**

- the addition of HF to olefins containing a chlorine atom on a carbon atom of the double bond, such as vinyl chloride, (Lovelace, page 13 paragraphs 2-4, and

- the addition of HF to chloroolefins containing the structure $C=CCl_2$, such as vinylidene chloride (Lovelace, paragraph bridging pages 13-14).

Moreover, applicants wish to correct page 8 line 10 after "heavier" by inserting --side products--and to correct page 11 lines 8-10 to read "and Lovelace relates inter alia to reactions with acetylene as the reactant. In summary there is no way that Rao's use of alkenes or Lovelace's disclosure can suggest heavy halogen containing side products".

Respectfully submitted,



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